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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David Duhl and Susan Wilkie Gorman
Application No. : 09/602,597
Filed : June 22, 2000
For : HUMAN CHROMOSOME 15 AND 16 BARDET-BIEDL
SYNDROME POLYNUCLEOTIDES AND POLYPEPTIDES AND
METHODS OF USE
Art Unit : 1646
Docket No. : PP-01568.002/200130.472
Date : August 14, 2001

Commissioner for Patents
Washington, DC 20231

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the Patent and Trademark Office the reference set forth on the attached form PTO-1449.

In response to the Examiner's Office Action, applicants respectfully submit that reference EP0679716 A1 was submitted to the Patent and Trademark Office as it was cited in an International Search Report of the corresponding application PCT/US00/17375 in which the International Searching Authority stated the following: "compare nt 1018-1133 of seq. ID 1 of the present application with nt 1-116 of seq. 3042 in EP0679716" (a copy of the International Search Report is enclosed.) Under 37 C.F.R. § 1.56 applicants are encouraged to carefully examine prior art cited in search reports of a foreign patent office in a counterpart application. The applicants respectfully submit that the aforementioned was submitted to the Patent and Trademark Office to fulfill this requirement.

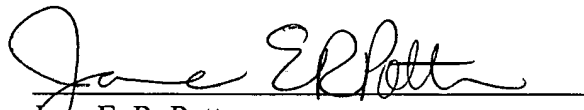
As to the reference made of record on the attached form PTO-1449, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid reference is made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

The reference listed on the attached Form PTO-1449 was submitted to the Patent and Trademark Office in a prior Information Disclosure Statement, mailed November 15, 2000, and, therefore, are not required to be provided in this application. If the Examiner wishes, copies will be provided upon request.

Please acknowledge receipt of this Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC


Jane E. R. Potter
Registration No. 33,332

JEP:sfl

Enclosures:

Postcard

Form PTO-1449

Copy of International Search Report for PCT/US00/17375

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